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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,659	08/31/2001	Christopher A. Mesa	10017722-1	1784

7590 02/09/2006

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,659

Applicant(s)

MESA ET AL.

Examiner

Truc T. Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Amendment filed 11/09/05.

Claims 23-11 are pending in this communication, and this office action is made final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 102

1. Claims 23-25, and 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Leclair et al. (U.S. Pub. 2003/0055866 A1).

As to claim 23, Leclair teaches a scanning method, comprising:

displaying a user interface from which one or more of multiple destination devices (an input device or a scanner contains more destination addresses that would like to receive a faxed information, e.g., [0038]-[0039]) may be selected to receive data from an input peripheral having a scanning capability (an input device such as a scanner or fax sends a request to a destination device notifying that input data from the scanner is ready to be transmitted, e.g., [0009]-[0010]);

the input peripheral notifying a selected destination device that the device has been selected to receive data (The input device notifies a destination device that new data is ready to be received. If the destination device accepts the data, the destination device gets, or "pulls," the data from the input device, e.g., [0021]);

in response to the notifying, the selected destination device requesting that the input peripheral begin transmitting data to the selected destination device (the destination can request the contained information from the input device or scanner such as image characteristics, file

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size, and other information about the data. Other information may include, for example, image resolution, image size, and image format (e.g. .jpg, .gif, or compressed). Input device 650 and client 600 may exchange a series of queries for information about the data and the capability of the destination device, e.g., [0040], and if the request is accepted by the destination device, the destination device starts getting data from the scanner, e.g., [0042], [0053]); and

in response to the requesting, the input peripheral scanning a document and transmitting data representing the document to the selected destination device (the destination is receiving a signal indicating an incoming fax, and status of transmission, e.g., [0038], [0046]).

As to claim 24, Leclair teaches the method wherein the input peripheral comprises a scanner or a multifunction peripheral (e.g., [0034]).

As to claim 25, Leclair teaches the method further comprising displaying a user interface from which a resource on one or more of the multiple destination devices may be selected to receive data from the input peripheral and wherein the input peripheral scanning a document and transmitting data representing the document to the selected destination device comprises the input peripheral scanning the document and transmitting data representing the document to a resource on the selected destination device selected to receive data from the input peripheral (from the input device/scanner/fax, the user can input various network addresses, a fax number (a resource) of the selected destination to transmit data, e.g., [0038]-[0039], and [0042], [0053]).

As to claim 27, Leclair teaches scanning method, comprising:

displaying a user interface from which one or more of multiple destination devices may be selected to receive data from an input peripheral having a scanning capability and from which a resource on one or more of the multiple destination devices may be selected to receive data

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from the input peripheral (an input device or a scanner contains more destination addresses that would like to receive a faxed information. From the input device/scanner/fax, the user can input various network addresses, a fax number (a resource) of the selected destination to transmit data, e.g., [0038]-[0039], and [0042], [0053]) may be selected to receive data from an input peripheral having a scanning capability (an input device such as a scanner or fax sends a request to a destination device notifying that input data from the scanner is ready to be transmitted, e.g., [0009]-[0010]);

the input peripheral notifying a selected destination device that the device and a resource on the device have been selected to receive data (The input device notifies a destination device that new data is ready to be received. If the destination device accepts the data, the destination device gets, or "pulls," the data from the input device, e.g., [0021]);

in response to the notifying, the selected destination device acknowledging a notification from the input peripheral (the destination can request the contained information from the input device or scanner such as image characteristics, file size, and other information about the data. Other information may include, for example, image resolution, image size, and image format (e.g. .jpg, .gif, or compressed). Input device 650 and client 600 may exchange a series of queries for information about the data and the capability of the destination device, e.g., [0040], and if the request is accepted by the destination device, the destination device starts getting data from the scanner, e.g., [0042], [0053]); and

in response to an acknowledgement from the selected destination device, the input peripheral scanning a document and transmitting data representing the document to a resource on

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the selected destination device selected to receive data from the input peripheral (the destination is receiving a signal indicating an incoming fax, and status of transmission, e.g., [0038], [0046]).

As to claims 28-31, they are the equivalent claims to method claims 23-25, and 27 respectively and are rejected under a similar rationale.

Claim Rejections - 35 USC § 103

2. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leclair et al. (U.S. Pub. 2003/0055866 A1) in view of Neumann et al. (U.S. Patent No. 6,744,761 B1).

As to claim 26, Leclair teaches the method wherein the resource comprises an application program, a telephone number for a facsimile transmission of the data (note the rejection of claim 25 above); however, Leclair does not show an email address to send the data. Neumann clearly teaches a resource **destination address** may include a DN, an e-mail **address**, an identifier for a corporate resource, such as, for example, video conferencing facilities, a page number, a cellular **phone number**, an identifier for a **fax** machine, or any other similar suitable identifier that can be used to route an incoming media stream to a corporate resource (e.g., col. 8 lines 19-29). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have the multiple types of the destination resource of Neumann in the input device of Leclair to increase the flexibility and assurance when sending data to the selected destination.

Response to Arguments

3. Applicant's argument on the rejection under 35 U.S.C. 112 is persuasive; therefore, the 112 rejection is withdrawn.

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4. Other Applicant's arguments filed in an Amendment have been fully considered but they are not persuasive.

Applicants argued and Examiner disagrees for the following reasons:

a. Input device 650 has already scanned the document and converted the images to digital data before receiving any communication from destination device 600.

Leclair clearly teaches that the input peripheral input devices such as the scanner, copy machine, camera, and fax machine, etc. start scanning/capturing the documents/images with initiation of transmission at the input device by putting the document on the scanner, or turning on the camera ([0038]); then the input device will convert the image to digital image for transmitting via the Network.

b. Leclair does not teach or suggest that there are multiple destination addresses including fax numbers.

Leclair clearly provides in [0038] that the input device 650 can be a fax machine, which allows the user to input various Network Addresses or a list of addresses that would like to receive the faxed information; therefore, the fax machine of Leclair contains the list of destination addresses or fax numbers considered as well known or inherence in the art without any further explanation.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

02/06/06



WEILUN LO
SUPERVISORY PATENT EXAMINER